

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

| | | |
|---------------------------------|---|-----------------------------------|
| Timothy Dunlap, |) | |
| |) | |
| Plaintiff, |) | |
| |) | Civil Action No. 5:19-cv-1480-TMC |
| v. |) | |
| |) | ORDER |
| Andrew Saul, ¹ |) | |
| Commissioner of Social Security |) | |
| Administration, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

Plaintiff, Timothy Dunlap, brought this action pursuant to 42 U.S.C. § 405(g), seeking judicial review of a final decision of the Commissioner of Social Security (“Commissioner”) denying his claim for benefits pursuant to the Social Security Act. (ECF No. 1). This matter is before the court on the Commissioner’s unopposed motion, pursuant to sentence four of 42 U.S.C. § 405(g), seeking entry of an order remanding the case for further administrative proceedings and, if necessary, a new administrative hearing. (ECF Nos. 19; 19-1). Plaintiff consents to the motion to remand. (ECF No. 19 at 2).

The court **GRANTS** the consent motion to remand (ECF No. 19). The Commissioner’s decision is **REVERSED**, pursuant to sentence four of 42 U.S.C. § 405(g), and this action is **REMANDED** to the Commissioner for further administrative proceedings. The Clerk of Court is directed to enter a final judgment by separate order.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

¹ On June 17, 2019, Andrew M. Saul became the Commissioner of Social Security. Pursuant to Fed. R. Civ. P. 25(d), he is automatically substituted for Defendant Nancy A. Berryhill, who was the Acting Commissioner of Social Security when this action was filed.

March 23, 2020
Anderson, South Carolina